

Overview of Construction Permits

K.A.R. 28-19-300

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KDHE


Air Construction Permit Section

- **Who needs a construction permit**
- **Who needs a construction approval**
- **Calculating potential-to-emit;**
- **Submitting a permit or approval application;**
- **Calculating the construction permit fee.**

Construction Permit

[K.A.R. 28-19-300(a)]

Potential-to-emit or increase in the potential-to-emit equals or exceeds:

- 100 tons per year of PM for an agricultural-related activity 
- 25 tons per year of particulate matter or 15 tons per year of PM_{10} if not an agricultural-related activity
- 40 tons per year of SO_2 or SO_3 or a combination thereof; VOC or NO_x

Construction Permit: **(continued)**

- **100 tons per year of CO**
- **0.6 tons per year of lead; or**
- **10 tons per year of any single HAP or 25 tons per year combination of HAP's**

Emissions unit is an affected source under Title IV

Emissions unit is an incinerator

Construction Approval

[K.A.R. 28-19-300(b)]

Potential-to-emit or increase in the potential-to-emit equals or exceeds:

- 5 pounds per hr. of PM or for a non-agricultural related activity, 2 pounds per hour of PM₁₀
- 2 pounds per hr. of SO₂ or SO₃, or a combination thereof
- 50 pounds per 24 hr. period of CO, NO₂, or VOC (Wyandote & Johnson Counties, if VOC equals or exceeds 15 pounds per 24 hour period or 3 pounds per hr.
- 0.1 pound per hour of lead or lead compounds

Subject to NSPS, NESHAPS or MACT

Potential-To-Emit (PTE)

Potential-to-emit is determined by estimating worst-case emissions for each pollutant of concern and calculating those emissions as if the source was continuously operating at maximum capacity.

$$\frac{\text{Maximum emission rate in pounds per hour} \times 8760 \text{ hours per year}}{2000 \text{ pounds / ton}} = \text{PTE in tons per year}$$

Example:

$$\frac{3 \text{ pounds per hour} \times 8760 \text{ hours per year}}{2000 \text{ pounds per ton}} = 13.14 \text{ tons per yr.}$$

Potential-to-emit for VOC & HAP emissions from surface coating operations and printing presses

$$\frac{\text{Actual, annual VOC used (pounds)}}{\text{Annual hours of operation}} = \text{pounds of VOC used per hour}$$

$$\frac{\text{Pounds of VOC used per hour} \times 8760 \text{ hours per year}}{2000 \text{ pounds / ton}} = \text{PTE in tons per year}$$

Construction Permit Application Process

- **Notification of Construction or Modification**
- **All applicable reporting forms and other information**
- **Permit application fee and the permit application fee calculation**

Forms:

**Kansas Department of Health and Environment
Bureau of Air and Radiation**

1000 SW Jackson, Suite 310

Topeka, Kansas 66612-1366

(785) 296-6422

www.kdhe.state.ks.us/download/index.html#airperm

Wyandotte County Health Department

Department of Air Quality

619 Ann Avenue

Kansas City, Kansas 66101

(913) 573-6700

Construction Permit Application Fee

[K.A.R. 28-19-304(b)]

Estimated capital cost of the proposed activity for which the application is made, including the total cost of equipment and services to be capitalized.
Multiply by .05% (.0005)

Line 1 \$ _____
x .0005

Total

Line 2 \$ _____

If Line 2 is greater than \$4,000, enter \$4,000 on Line 3.

If Line 2 is less than \$100, enter \$100 on Line 3.

Otherwise, copy Line 2 to Line 3.

Construction permit application fee.

Line 3 \$ _____

(Print)

Certifier of Capital Cost

(Signature)

Date